

**State of California  
California Regional Water Quality Control Board, Los Angeles Region**

**RESOLUTION NO. 03-XX  
April 3, 2003**

**To Find that the Calleguas Creek Watershed Salts TMDL Work Plan Does Not  
Provide an Adequate Approach to Determining Appropriate Water Quality  
Standards and Implementation with Respect to Chloride in the Calleguas Creek  
Watershed**

**WHEREAS, the California Regional Water Quality Control Board, Los Angeles  
Region, finds that:**

**History of Chloride Issues in Calleguas Creek**

1. The Federal Clean Water Act (CWA) requires the California Regional Water Quality Control Board (Regional Board) to develop water quality standards which are sufficient to protect beneficial uses for each water body found within its region. As implemented through California's Porter-Cologne Water Quality Control Act, the Regional Board develops water quality objectives sufficient to protect beneficial uses.
2. The Calleguas Creek Watershed is located in Ventura County, California. It reaches from Mugu Lagoon to east of the town of Simi and has portions of relatively pristine riparian habitat. The Beneficial Uses of Calleguas Creek include, but are not limited to, agricultural supply (AGR); ground water recharge (GWR); warm freshwater habitat (WARM); wildlife habitat (WILD); rare, threatened, or endangered species (RARE); and wetland habitat (WET).
3. The Water Quality Control Plan, Los Angeles Region (Basin Plan) establishes a water quality objective of 150 mg/L for chloride in Calleguas Creek above Potrero Road.
4. There are five Public Owned Treatment Works (POTWs) in the watershed. Three of these discharge treated wastewater into the surface waters: Simi Valley Water Quality Control Plant; Hill Canyon Wastewater Treatment Facility; and Camarillo Wastewater Treatment Plant. The total chloride load from the POTWs to the watershed is about 21,200 lb/day, based on the loads and discharge flows reported under the NPDES permits. Camrosa Wastewater Treatment Plant and the Moorpark facility discharge treatment municipal wastewater into the shallow aquifer systems. The chloride loads from these two facilities enter the surface water indirectly via groundwater.
5. High levels of chloride in the Calleguas Creek watershed were noticed as part of the drought in the 1980's. Chloride concentrations in supply waters imported into the Region were increasing. Chloride levels in wastewaters had a significant loading of salt that might have come from water softeners and other loadings.

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6. In 1990, the Regional Board adopted Resolution No. 90-04: *Effects of Drought-Induced Water Supply Changes and Water Conservation Measures on Compliance with Waste Discharge Requirements within the Los Angeles Region*, or *Drought Policy*. This was intended to provide short-term and temporary relief to dischargers unable to comply with chloride limits due to the drought effects on chloride levels in water imported to the Region.
7. In 1997, the Regional Board adopted Resolution No. 97-02, *Amendment to the Water Quality Control Plan to Incorporate a Policy for Addressing Levels of Chloride in Discharges of Wastewaters*, or *The Chloride Policy*. Resolution 97-02 rescinded Resolution 90-04. This Amendment allowed dischargers a variance with interim effluent limits of 190 mg/L for Calleguas Creek and its tributaries between Potrero Road and Arroyo Las Posas (including Conejo Creek, Arroyo Conejo, and Arroyo Santa Rosa). This variance was extended to January 9, 2001.
8. At the December 7, 2000 Board meeting, the Board extended the interim objectives for Calleguas Creek until March 31, 2001 (Resolution 00-22). At that time, the Chloride Total Maximum Daily Load (TMDL) for Calleguas Creek was tentatively scheduled for 2001.
9. The United States Environmental Protection Agency promulgated a TMDL for chloride in Calleguas Creek on March 2002 implementing a chloride objective of 150 mg/L in Calleguas Creek.

### **The Stipulation For Order Issuing Stay**

10. On April 29, 2002, the Cities of Simi Valley and Thousand Oaks, the Camarillo Sanitary District, the Camrosa Water District, and Ventura County Water Works District No. 1 (Petitioners) pursuant to Water Code section 13320, filed with the State Water Resources Control Board (State Board) a petition for review of effluent limitations for chloride contained in orders adopted by the Regional Board. The bases for review are fully articulated in the petition.
11. Petitioners also moved for a stay of the challenged effluent limitations pending the State Board's final disposition of the petition. The Regional Board and the Petitioners, considering the history of chloride regulation in the Calleguas Creek watershed, the incorporation of chloride effluent limitations into the various Regional Board orders, and the intent to amicably resolve issues raised in the petition, stipulated to a stay order by the State Board to provide additional time to address the issues underlying the petition. On October 17, 2002, the State Board adopted Order WQO 2002-0017, which effected a stipulated stay as further described below.
12. The Regional Board and the Petitioners agreed upon the need to further consider water quality standards for chloride and approaches to chloride regulation in the

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Calleguas Creek watershed. In this regard, petitioners advocated the pursuit of a watershed planning effort to support determinations of beneficial uses, water quality objectives, and development of total maximum daily loads as necessary. The parties agreed that any such process move forward expeditiously, and the Petitioners were required to prepare and submit a work plan to the Regional Board.

13. An initial focus was for the Petitioners to develop a work plan describing activities to be conducted to re-evaluate water quality objectives for chloride in the Calleguas Creek watershed and/or the beneficial uses currently associated with chloride objectives in the Calleguas Creek Watershed and/or beneficial uses currently associated with chloride objectives in the Calleguas Creek Watershed Salts TMDL Work Plan (Salts Work Plan).
14. To allow time for consideration of the Work Plan, the State Board's order on the stipulations stayed certain chloride effluent limitations. Specifically, the following final chloride effluent limitations were stayed:
  - (i) Final effluent limitations for chloride contained in Effluent Limitations B.1 of Order 96-043 (NPDES No. CA0055221) of the Los Angeles Regional Water Quality Control Board (Regional Board);
  - (ii) Final effluent limitations for chloride contained in Effluent Limitations A.2.a of Order 96-044 (NPDES No. CA0056294) of the Regional Board;
  - (iii) Final effluent limitations for chloride contained in Effluent Limitations 2.a. of Order 96-045 (NPDES No. CA0056359) of the Regional Board;
  - (iv) Final effluent limitations for chloride contained in Effluent Limitations 2.a of Order 96-042 (NPDES No. CA0053597) of the Regional Board;
  - (v) Final effluent limitations for chloride contained in footnote 4 accompanying Effluent Limitations 2.a. of Order 00-049 (NPDES No. CA0063274) of the Regional Board;
  - (vi) Final effluent limitations for chloride contained in footnote 4 accompanying Effluent Limitations 2.a. Order 2000-09 (NPDES No. CA0059501) of the Regional Board.

The effect of the stay is that the interim chloride effluent limitations of 190 mg/L remain in effect during the period the stay is in effect.

15. The stay will be dissolved without further action by the State Board, if (i) the Regional Board, within 90 days of receipt of the Salts Work Plan, finds, after a publicly noticed hearing, that the Salts Work Plan does not provide an adequate approach to determining appropriate water quality standards and implementation with respect chloride in the Calleguas Creek watershed; and (ii) the Regional Board so notifies the State Board. The dissolution of stay will coincide with the State Board's ruling on Petitioners' reinstated motion for stay.

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### **Submittal of the TMDL Work Plans**

16. Calleguas Creek Watershed TMDL Work Plans were submitted by the Petitioners on January 15, 2003 in conformance with the Stipulation for Order Issuing Stay. The submittal included TMDL Work Plans for salts (including chloride), metals and PCBs, toxicity, historic pesticides, and bacteria. The TMDL Work Plan for Salts (which is intended to fulfill the stay's requirement for a Salts Work Plan) included a Salts Implementation Plan. The work plans included a discussion of the Stakeholder organization that will be responsible for completing the TMDLs and some of the TMDL development methods.
17. Regional Board and EPA staff reviewed the TMDL Work Plans and met with Stakeholder representatives on March 7, 2003 to discuss their findings. The Regional Board and EPA staff noted that the various work plans were not adequate because:
  - i. Identification of legal/administrative entity responsible for completion of TMDL is not clear;
  - ii. There is an excessive emphasis on standards rather than TMDL work;
  - iii. Detail description on tools for TMDL completion (i.e. modeling, margin of safety, etc.) are not provided;
  - iv. Monitoring plans required for TMDL assessment are not discussed;
  - v. No discussion of QA/QC procedures to be used in generating and evaluating analytical data is provided
  - vi. For the Salts Implementation Plan, no analysis of the requirements and feasibility of meeting discharge requirements is provided.
18. Subsequently, the Regional Board staff provided more detailed, electronic comments on the Salts Work Plan, which is the subject of this resolution. On March 18, 2003, the Executive Officer notified Petitioners of the specific areas in which the Regional Board staff concluded that the Salts Work Plan was inadequate in its approach to determining appropriate water quality standards and implementation with respect to Chloride in the Calleguas Creek Watershed. These comments included:
  - i. The Work Plan does not clearly identify the parties who will be responsible for conducting the work.
  - ii. The Work Plan does not clearly describe the interface between the Standards Review tasks and determination that TMDLs may or may not be necessary.
  - iii. The Work Plan does not adequately address chloride issues associated with agricultural supply for salt sensitive crops.
  - iv. The Work Plan does not provide an approach to address Porter Cologne requirements for water quality standards work affecting agriculture programs, i.e. costs.
  - v. The Work Plan does not address concerns with the Ocean outfall capacity.
  - vi. The Work Plan does not address development of monitoring programs required to assess TMDL progress.

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- vii. The Work Plan does not provide tasks to measure and assess chloride load reductions from early actions.
- viii. The Work Plan does not provide an approach for evaluating feasibility of interim discharge below Potrero Road.

19. The Petitioners provided responses to the comments on March 19, 2003; however, the responses did not fully address the staff's concerns about the adequacy of the Salts Work Plan.
20. After a public hearing, considering the Salts Work Plan and the input of staff and the Petitioners, the Regional Board has concluded that the Salts Work Plan does not provide an adequate approach to determining appropriate water quality standards and implementation with respect to chloride in the Calleguas Creek watershed as described in Finding 18.

**THEREFORE, be it resolved that pursuant to Section 13240 and 13242 of the Water Code, and State Board Order WQO 2002-0017:**

1. The Regional Board finds that the Salts Work Plan does not provide an adequate approach to determining appropriate water quality standards and implementation with respect to chloride in the Calleguas Creek watershed.
2. The Executive Officer is directed to notify the State Board of its findings in accordance with paragraph (C)(ii) of the operative provisions of State Board Order WQO 2002-0017.
3. The Executive Officer is directed to continue working with the Petitioners in an effort to resolve differences concerning the adequacy of the Salts Work Plan, and if the Regional Board's concerns are addressed to the satisfaction of the Executive Officer, then the Executive Officer shall so inform the State Board consistent with Paragraph D of the operative provisions of State Board Order WQO 2002-0017.

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 3, 2003.

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Dennis A. Dickerson  
Executive Officer

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